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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:	§	
	§	
DERRALL WAYNE BROWN	§	CASE NO: 20-42321-BTR-13
	§	
	§	CHAPTER: 13
DEBTOR	§	

MOTION TO VACATE DISMISSAL ORDER AND REINSTATE CASE

TO THE HONORABLE JUDGE OF THIS COURT:

COME NOW Debtor, **DERRALL WAYNE BROWN** requesting an order reinstating their case to the court's active docket.

JURISDICTION

1. This Court has jurisdiction to decide this Motion pursuant to Rule 59 of the Federal Rules of Civil Procedure, which is applicable to the instant proceedings pursuant to Rule 9023 of the Federal Rules of Bankruptcy Procedure.
2. In accordance with Bankruptcy Rule 9023 and Rule 59(e) of the Federal Rules of Civil Procedure, this Motion has been filed within 14 days of the entry of the Order Dismissing the Debtor's case.
3. Debtor filed a petition under Chapter 13 of Title 11 on November 19, 2020.
4. Debtor case was dismissed on March 3, 2021 for failure to provide the following documents: proof of social security benefits and mother contribution affidavit.

5. Back on February 10, 2021 we contacted the Trustee office and informed that the Debtor's social security benefits claim was denied (provided documentation) and that his mother is no longer contributing to his expenses. Because of this we requested that the Motion to Dismiss be Withdrawn since the documents were no longer necessary. After this communication however, the winter storm affected our area and inadvertently we lost track of the status of our request.

6. On March 5, 2021 we contacted the Chapter 13 Trustee Office Counsel and he informed that the motion to reinstate the case will be **unopposed**.

7. This motion is not made for the purposes of delay and no creditor will suffer any prejudice if Debtor motion is granted.

WHEREFORE, PREMISES CONSIDERED Debtor **Derrall Wayne Brown** respectfully request the Court to Reinstate Debtors' bankruptcy to the Court's active docket and for such other relief the Court may grant.

Respectfully Submitted,

HERRIN LAW, PLLC

/s/ C. Daniel Herrin

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CERTIFICATE OF CONFERENCE

The undersigned Debtors' Counsel hereby certifies that on March 5, 2021, he conferred with the Office of the Standing Chapter 13 Trustee to determine whether or not the requested reinstatement will be opposed. The undersigned hereby certifies the Motion to Reinstate is **unopposed** by the Standing Chapter 13 Trustee.

/s/ C. Daniel Herrin
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State Bar No. 24065409

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 8, 2021, a true and correct copy of the foregoing was served on all parties in interest below and on all parties who have filed a request for notice or notice of appearance.

Dallas County
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c/o Lisa Large Cockrell
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Dallas, TX 75207

U.S. Bank Trust, N.A.
c/o Caliber Home Loans, Inc.
13801 Wireless Way
Oklahoma City, OK 73134

Capital One Auto Finance
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AIS Portfolio Services, LP
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